GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Revenue Dept - Departmental Proceedings initiated against Sri P. Yesu Dasu, the then ARI, O/o the Tahsildar, Ongole Prakasam District for the irregularity committed by him under rule 20 of APCS(CC&A) Rules, 1991- Articles of charge issued – Explanation submitted - Enquiry Officer appointed - Enquiry report submitted – Enquiry report communicated – Further explanation submitted – Show cause notice under Rule 9 of AP Revised Pension Rules 1980 – awarding a penalty of "withholding of 3% pension for a period of one year" against him – Orders –Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.RT.No. 589 **Dated: 20-07-2020.**

Read the following:-

1. From the CCLA, Lr.No.VS-III(2)/1311/2016, Dated:28.03.2017.
2. G.O.Ms.No.439, Revenue (Vigilance.III) Dept, Dt:27.09.2017.
3. G.O.Ms.No.440, Revenue (Vigilance.III) Dept, Dt:27.09.2019.
4. G.O.Rt.No.1009, Revenue (Vigilance.III) Dept, Dt:27.09.2017.
5. Explanation Dt:26.10.2017, of Sri B.Brahmeswara Rao, formerlyDeputy Tahsildar, O/o the Tahsildar, Ongole.
6. G.O.Rt.No.70, Revenue (Vigilance.III) Dept, Dt:10.01.2018.
7. From the DRO & Enquiry Officer, Prakasam District, Lr.Rc.A1/2499/2016, dt:29.05.2019.
8. Govt. Memo No.514768/vig.III.2/2017, Revenue (Vigilance.III) Dept, Dt:17.07.2019.
9. Explanation Dt:18.07.2019 of Sri P.Yesu Dasu, the then ARI, O/o the Tahsildar, Ongole, Prakasam District.
10. Govt.Memo.No.514768/Vig.III2/2017, Dated: 25/11/2019.
11. Representation 10.02.2020 of Sri P.Yesudasu, Enforcement DT, Singarayakonda (now retd)
12. Govt.Letter.No.514768/Vig.III2/2017, Dated:06/05/2019.
13. From the Secretary, APPSC, Letter.No.145/DC&C/2020, Dated:23.06.2020

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ORDER:

Whereas, in the reference 1st cited, the Chief Commissioner of Land Administration, Andhra Pradesh, Vijayawada has reported that the Collector Prakasam has submitted that several petitions were filed alleging that the title of Government Land situated in Sy.No.170 in Ongole village and town has illegally been transferred to private persons by the Revenue Officials and Municipal officials. After conducting the preliminary enquiry by the Revenue Divisional Officer, Ongole, it is noticed that grave irregularities have been committed by the following officials of Tahsildar's Office, Ongole Mandal.

(i) Sri M. Venkateswarlu, Tahsildar, Kanigiri;
(ii) Sri B.Brahmeswara Rao, Deputy Tahsildar, Chimakurthy;
(iii)Sri Nalam Venkateswarlu, Mandal Surveyor, Tahsildar's office, Ongole;
(iv Sri P. Yesu Dasu, Enforcement Deputy Tahsildar o/o DSO, Ongole and
(v) Sri K. Malleswara Rao, Village Revenue Officer, Ongole Mandal.

2. The Chief Commissioner of Land Administration has stated that in respect of Sri. N. Venkateswarlu, Mandal Surveyor, disciplinary action was already initiated by the RDD, Kurnool vide Memo.Dt. 26.05.2017. He further stated that Sri P.Yesudasu, former Additional Revenue Inspector, Ongole Mandal has retired from service on 31.01.2017 while working as Enforcement Deputy Tahsildar, Singarayakonda on attaining the age of superannuation and he is involved in this case along with four others. Hence the Government alone are competent to conclude the disciplinary

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action against the retired Government servant under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 and other employees involved in this case under common proceedings (batch case) under rule 24 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991. Therefore, the Chief Commissioner of Land Administration while submitted all the material to the Government have requested to take further action in the matter.

3. And whereas, in the reference 2nd read above, orders has been issued initiating the common disciplinary proceedings under Rule 24 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 against Sri M. Venkateswarlu, Tahsildar, Prakasam District, Sri P. Yesu Dasu, Enforcement Deputy Tahsildar o/o DSO, Ongole (Retired), Sri B.Brahmeswara Rao, Deputy Tahsildar, Chimakurthy and Sri K. Malleswara Rao, Village Revenue Officer, Ongole Mandal. In respect of Sri K. Malleswara Rao, Village Revenue Officer, who expired on 18.12.2018, Government have abated further action in terms of rule 9(7)(a) of the Andhra Pradesh Revised Pension Rules 1980 subject to recovery of loss, if any, caused by the Government Servant.

4. Government after careful examination of the matter and after following the due procedure, have decided to award a Penalty of Stoppage of one annual grade increment with cumulative effect on Sri M.Venkateswarlu, Tahsildar for the charges held proved against him and also to award a Penalty of Stoppage of one annual grade increment without cumulative effect on Sri B.Brahmeswararao, Deputy Tahsildar for the charge held partly proved against him. Accordingly, the Chief Commissioner of Land Administration was requested to take necessary action to impose punishment as decided above by the Government and also requested to report compliance to the Government vide the memo dt:25.11.2019.

5. In respect of Sri P. Yesu Dasu, the then Assistant Revenue Inspector, O/o the Tahsildar, Ongole Prakasam District (now retired), Article of Charges were framed against him in the G.O.4th read above, for the irregularity committed by him while working as formerly Additional Revenue Inspector, O/o the Tahsildar, Ongole, Prakasam District under rule 20 of of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 r/w rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

Charge-1:-

That Sri P. Yesudasu, while working as Additional Revenue Inspector, Tahsildar's Office (now retired) has committed grave irregularities by submitting the false enquiry report for grant of No Objection Certificate for an extent of Ac.0.47 cents fallen in S.No.170/7C of Ongole Village and Mandal for the Municipal Corporation land illegally being a field level officer without proper field inspection of the land and verifying the village records properly which amounts to misconduct.

Charge-2:-

That Sri P. Yesudasu, while working as Additional Revenue Inspector, Tahsildar's office, Ongole has committed irregularities and caused for digitally signed for the Municipal Corporation land measuring Ac.0.45 cents in S.No.170/7C of Ongole Village and Mandal as Patta Land irregularly in Webland software by the then Tahsidlar, Ongole in favour of the applicant Smt Akula Koteswaramma and by recommending deliberately without knowing the title of the land being a field level functionary. Proper reporting to the higher officer, from field level and record is the main duty of the Revenue Inspect. He failed in his job.

6. Sri P. Yesu Dasu, the then Assistant Revenue Inspector, O/o the Tahsildar, Ongole Prakasam District (now retired) has submitted the Written Statement of

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Defence denying the charges. In the reference 6th read above, Government have appointed the District Revenue Officer, Ongole as Inquiry Authority under Rule 20 (2) of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 to inquire into the charges framed against Sri M.Venkateshwarlu, Tahsildar, and (3) other revenue officials including Sri P. Yesu Dasu, the then Assistant Revenue Inspector, O/o the Tahsildar, Ongole Prakasam District (Retired), for the irregularities committed by them while working in O/o Tahsildar, Ongole, Prakasam District. Accordingly, the Inquiry officer after following the due procedure has submitted his enquiry report vide the reference 7th read above, where in, among the other things, it was held that the charges (1) & (2) against the charged officer Sri P. Yesu Dasu, the then Assistant Revenue Inspector, O/o the Tahsildar, Ongole Prakasam District (now retired) are held proved.

7. Further, the enquiry report was communicated to the Charged Officer Sri P. Yesu Dasu, the then Assistant Revenue Inspector, O/o the Tahsildar, Ongole Prakasam District (Retired) and directed him to submit his representation, if any, on the findings of the enquiry officer vide reference 8th read above. In reply, Sri P. Yesu Dasu has submitted the representation reiterating his contentions already submitted, vide the reference 9th read above.

8. Government, after careful examination of the enquiry report and further explanation of the Charged Officer, have provisionally decided to award a penalty of "withholding 3% pension for a period of one year" against Sri P. Yesu Dasu, the then Assistant Revenue Inspector, O/o the Tahsildar, Ongole Prakasam District (now retired), for the charges held proved against him. Accordingly, a show cause notice has been issued to the Charged Officer as to why the proposed punishment should not be imposed upon him and submit his representation within (15) days from the date of receipt of the memo failing which it will be construed that he has no explanation to offer and further action will be taken based on the material available on record and as per relevant Rules, vide the reference 10th read above.

9. In response to the Show Cause Notice, the Charged Officer i.e Sri P. Yesu Dasu, the then Assistant Revenue Inspector, O/o the Tahsildar, Ongole Prakasam District (Retired), has submitted his explanation reiterating his earlier contentions and requested the Government to exonerate him from the instance case and to drop the proposed punishment.

10. Government after examination of the explanation of the delinquent officer, has decided to confirm the provisional decision taken i.e, to impose a penalty of "withholding 3% pension for a period of one year" against Sri P. Yesu Dasu, the then Assistant Revenue Inspector, O/o the Tahsildar, Ongole Prakasam District (Retired) duly following the procedure prescribed under Rule 9 of Andhra Pradesh Revised Pension Rules 1980. Accordingly, the Secretary, APPSC was requested to place the above proposal of the Govt., before the Commission and further their concurrence to the Government for taking further action in the matter, vide the reference 12th read above.

11. In the reference 13th read above, the Secretary, APPSC has informed that after careful examination of the disciplinary case in the light of the records made available, Commission agrees with the proposals of the Government, to impose a punishment of "withholding of 3% pension for a period of one year" against Sri P.Yesu Dasu, the then ARI (retd), O/o Tahsildar, Ongole, Prakasam District and advise accordingly.

12. Government, after careful examination of the matter have decided to confirm the provisional decision taken and accordingly hereby order to impose penalty of "withholding of 3% pension for a period of one year" against Sri P.Yesu Dasu, the then ARI (retd), O/o Tahsildar, Ongole, Prakasam District (Retired) under Rule 9 of Andhra Pradesh Revised Pension Rules 1980.

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13. The Chief Commissioner of Land Administration, Andhra Pradesh, Vijayawada/ the District Collector, Prakasam shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT

To:
Sri P.Yesu Dasu, the then ARI (retd), O/o Tahsildar, Ongole, Prakasam District (Retired), through the Collector & District Magistrate, Prakasam District
The Chief Commissioner of Land Administration, A.P., Vijayawada.
The Collector & District Magistrate, Prakasam District.
Copy to:
The Secretary, APPSC, Vijayawada.
Sf/Sc

//FORWARDED::BY ORDER//

SECTION OFFICER